

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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ERICK BURGESS,

Plaintiff,

v.

Case No. 09-13019

PROBABILITY PHYSICAL THERAPY, LLC,

Defendant.

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**ORDER SETTING TELEPHONE CONFERENCE**

On February 11, 2011, the court dismissed this case without prejudice and allowed the parties three months to finalize settlement documents before the dismissal would be with prejudice. On May 11, 2011, Plaintiff filed a "Notice" informing the court that the documents are not quite finalized. The court will therefore conduct a telephone conference in two weeks to discuss the status of the document preparation. If, at that time, the parties have reached an impasse, the court will reopen the case for appropriate proceedings. Accordingly,

IT IS ORDERED that counsel for Plaintiff Relator, Defendant, and the Government shall participate in a telephone conference on **May 25, 2011, at 10:30 a.m.** In the meantime, the case will remain closed, although the dismissal is without prejudice until further order of the court. In the event the parties submit a stipulated order of dismissal or judgment by **May 24, 2011**, the telephone conference will be canceled.

**Nothing in this order shall be deemed to adversely affect or in any way impact the parties' rights.**

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 13, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 13, 2011, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522